

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 9/27/2022
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SEANA CROMITIE, on behalf of herself and all	:	
others similarly situated,	:	22-CV-4959 (VEC)
	:	
Plaintiff,	:	<u>ORDER</u>
-against-	:	
	:	
AVENUE ONLINE LLC,	:	
	:	
Defendant.	:	
-----X		

VALERIE CAPRONI, United States District Judge:

WHEREAS Plaintiff's deadline for effecting service was September 12, 2022;

WHEREAS no affidavit of service has been filed;

WHEREAS the Defendant has not appeared;

WHEREAS Plaintiff has not sought a default judgment against the Defendant;


WHEREAS on September 15, 2022, the Court ordered Plaintiff to show cause by September 23, 2022, for why the action should not be dismissed without prejudice for failure to serve or prosecute the case, Dkt. 8; and

WHEREAS to-date Plaintiff has not responded to the Court's September 15, 2022 order.

IT IS HEREBY ORDERED that this case is DISMISSED without prejudice for failure to prosecute. The Clerk of Court is respectfully directed to terminate all deadlines and close the case.

SO ORDERED.

Date: September 27, 2022
New York, New York



VALERIE CAPRONI
United States District Judge